

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN MYRICK,

Defendant.

CR-14-69-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 30, 2021. (Doc. 85.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on April 29, 2021. (Doc. 80.) The United States accused Myrick of violating his conditions of supervised release 1) by failing to report for substance abuse testing; 2) by failing to report for substance abuse treatment; and 3) by using methamphetamine. (Doc. 77.)

At the revocation hearing, Myrick admitted to violating the conditions of his supervised release 1) by failing to report for substance abuse testing; 2) by failing

to report for substance abuse treatment; and 3) by using methamphetamine. (Doc. 80.) Judge Johnston found that the violations Myrick admitted proved to be serious and warranted revocation, and recommended that Myrick receive a custodial sentence of 7 months with no supervised release to follow. (Doc. 85.) Myrick was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 80.) The violations prove serious and warrant revocation of Myrick's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc.85) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant John Myrick be sentenced to the custody of the United States Bureau of Prisons for 7 months, with no supervised release to follow.

DATED this 18th day of May, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court